

IN RE: PETITION FOR RESIDENTIAL VARIANCE* BEFORE THE
S/S Fork Woods Road, 600' W of
Pork Road
(6013 Fork Woods Road)
11th Election District
6th Councilmanic District
Steven P. Elsnic, et ux
Petitioners

- * ZONING COMMISSIONER
- * OF BALTIMORE COUNTY
- * Case No. 92-39-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance from Sections 400.1 and 415.A.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit the construction of a detached carport located across from the side of the existing dwelling in lieu of the required rear yard, and to permit a recreational vehicle to be at a lateral projection of the front foundation line of the subject dwelling in lieu of the required 8 feet from the rear foundation line, all as more particularly described on Petitioner's Exhibits 1 and 3.

The Petitioners having filed a Petition for Residential Variance and the subject property having been posted and there being no requests for public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variances would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Zoning Commissioner, the information, pictures, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the

B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the B.C.Z.R. having been met, and for the reasons set forth above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 9th day of September, 1991 that the Petition for Residential Variance from Sections 400.1 and 415.A.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit the construction of a detached carport located on the side of the existing dwelling in lieu of the required rear yard, and to permit a recreational vehicle to be at a lateral projection of the front foundation line of the subject dwelling in lieu of the required 8 feet from the rear foundation line, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.
- 2) Upon request and reasonable notice, Petitioners shall permit a representative of the Zoning Enforcement Division to make an inspection of the subject property to insure compliance with this Order.

J. Robert Haines
J. ROBERT HAINES
Zoning Commissioner
for Baltimore County

JRH:bjs

ORDER RECEIVED FOR FILING
Date 9/11/91
By [Signature]

PETITION FOR RESIDENTIAL VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, petition for a Variance from Section 400.1 of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reason: (Indicate hardship or practical difficulty)

TO PERMIT THE CONSTRUCTION OF A CAR-PORT LOCATED ON THE SIDE OF OUR HOME IN LIEU OF IN

THE REAR OF OUR HOME, AND A RECREATIONAL VEHICLE TO BE AT A LATERAL PROJECTION OF THE FRONT FOUNDATION LINE OF OUR HOME IN LIEU OF THE REQUIRED 8 FEET FROM THE REAR FOUNDATION LINE.

(PRACTICAL DIFFICULTY) ... PLEASE SEE ATTACHED

Property is to be advertised and/or posted as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of the above Variance posting and, if necessary, advertising, upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser(s):

(Type or Print Name)

Signature

Address

City/State/Zip Code

Attorney for Petitioner(s):

(Type or Print Name)

Signature

Address

Attorney's telephone number

Legal Owner(s):
STEVEN PAUL ELSNIC

(Type or Print Name)

Signature

CHRISTINE SUSAN ELSNIC

(Type or Print Name)

Signature

6103 FORK WOODS ROAD (301) 592-2586

Address

BALDWIN, MD 21013

City/State/Zip Code

Name, address and phone number of legal owner, contract purchaser or representative to be contacted.

STEVEN PAUL ELSNIC

Name

6103 FORK WOODS ROAD (301) 592-2586

Address

BALDWIN, MD 21013

City/State/Zip Code

ORDERED by the Zoning Commissioner of Baltimore County, this 9th day of September, 1991, that the subject matter of this petition be posted on the property on or before the 15th day of September, 1991.

ZONING COMMISSIONER OF BALTIMORE COUNTY

A PUBLIC HEARING HAVING BEEN REQUESTED AND/OR FOUND TO BE REQUIRED, IT IS FURTHER ORDERED by the Zoning Commissioner of Baltimore County, this 9th day of September, 1991, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that the property be reposted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 108, County Office Building in Towson, Baltimore County.

REVIEWED BY: [Signature] DATE: 7/24/91

ZONING COMMISSIONER OF BALTIMORE COUNTY

ORDER RECEIVED FOR FILING

Date 9/11/91

By [Signature]

AFFIDAVIT

IN SUPPORT OF RESIDENTIAL ZONING VARIANCE

92-39-A

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 6103 FORK WOODS ROAD

BALDWIN, MD 21013
(Address)

That based upon personal knowledge, the following are the facts upon which I/we base the request for a Residential Zoning Variance at the above address: (Indicate hardship or practical difficulty)

PRACTICAL DIFFICULTY ... (PLEASE SEE ATTACHED)

That Affiant(s) acknowledge(s) that if protest is filed, Affiant(s) will be required to pay a reporting and advertising fee and may be required to provide additional information.

[Signature]
AFFIANT (Handwritten Signature)
STEVEN PAUL ELSNIC

AFFIANT (Printed Name)

[Signature]
AFFIANT (Handwritten Signature)
CHRISTINE SUSAN ELSNIC

AFFIANT (Printed Name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 24th day of July, 1991, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Steven Paul Elsnic & Christine Susan Elsnic

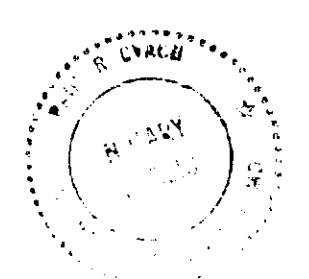
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal.

7/24/91
DATE

Paul R. Cvach
NOTARY PUBLIC PAUL R. CVACH

My Commission Expires: 8/20/94



92-39-A

DESCRIPTION OF THE PROPERTY

PROPERTY IS LOCATED ON FORK WOODS ROAD APPROXIMATELY 440' FROM FORK ROAD.

BEING KNOWN AND DESIGNATED AS LOT NO. 6, AS SHOWN ON THE PLAT ENTITLED "PLAT 2, SECTION NO. 2, LONG GREEN WOODS". WHICH PLAT IS RECORDED AMONG THE LAND RECORDS OF BALTIMORE COUNTY IN PLAT BOOK EHK, JR. NO. 40, FOLIO 27; IMPROVEMENTS TO BE KNOWN AS 6103 FORK WOODS ROAD.

BEING A PART OF THE LOT OF GROUND DESCRIBED IN A DEED DATED OCTOBER 30, 1972 AND RECORDED AMONG THE LAND RECORDS OF BALTIMORE COUNTY IN LIBER EHK, JR. NO 5311, FOLIO 174 FROM ANNE TOTTEN MERRILL TO CHARLES H. SEILER, INC., THE HEREIN GRANTOR.

Baltimore County
Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Date

Account: R001-6150
Number

1-Item#

DESCRIPTION OF FEES	QTY	PRICE
FOR ZONING VARIANCE (FVL)	1 X	\$25.00
FOR POSTING SIGNS / ADVERTISING	1 X	\$25.00
TOTAL:		\$50.00

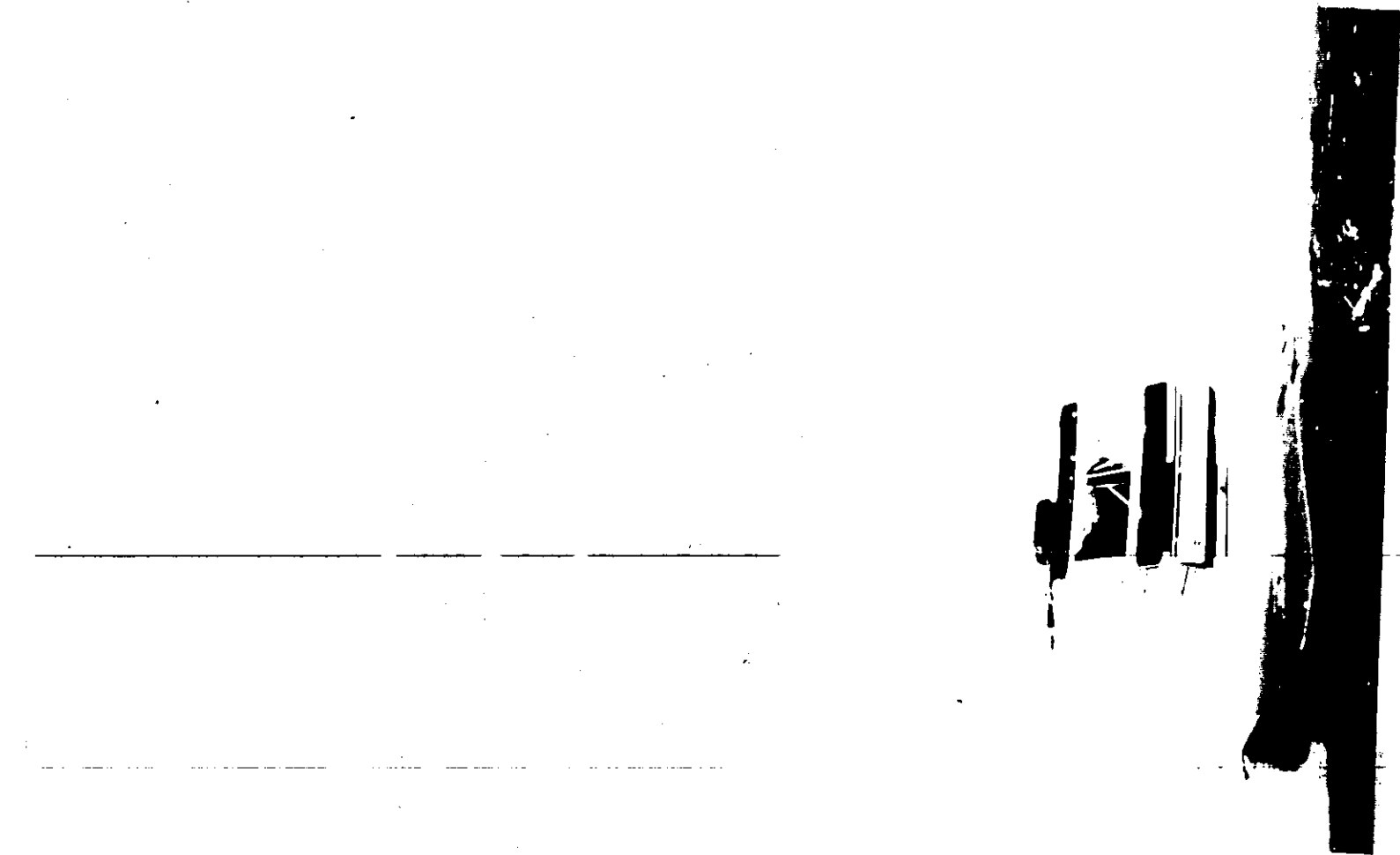
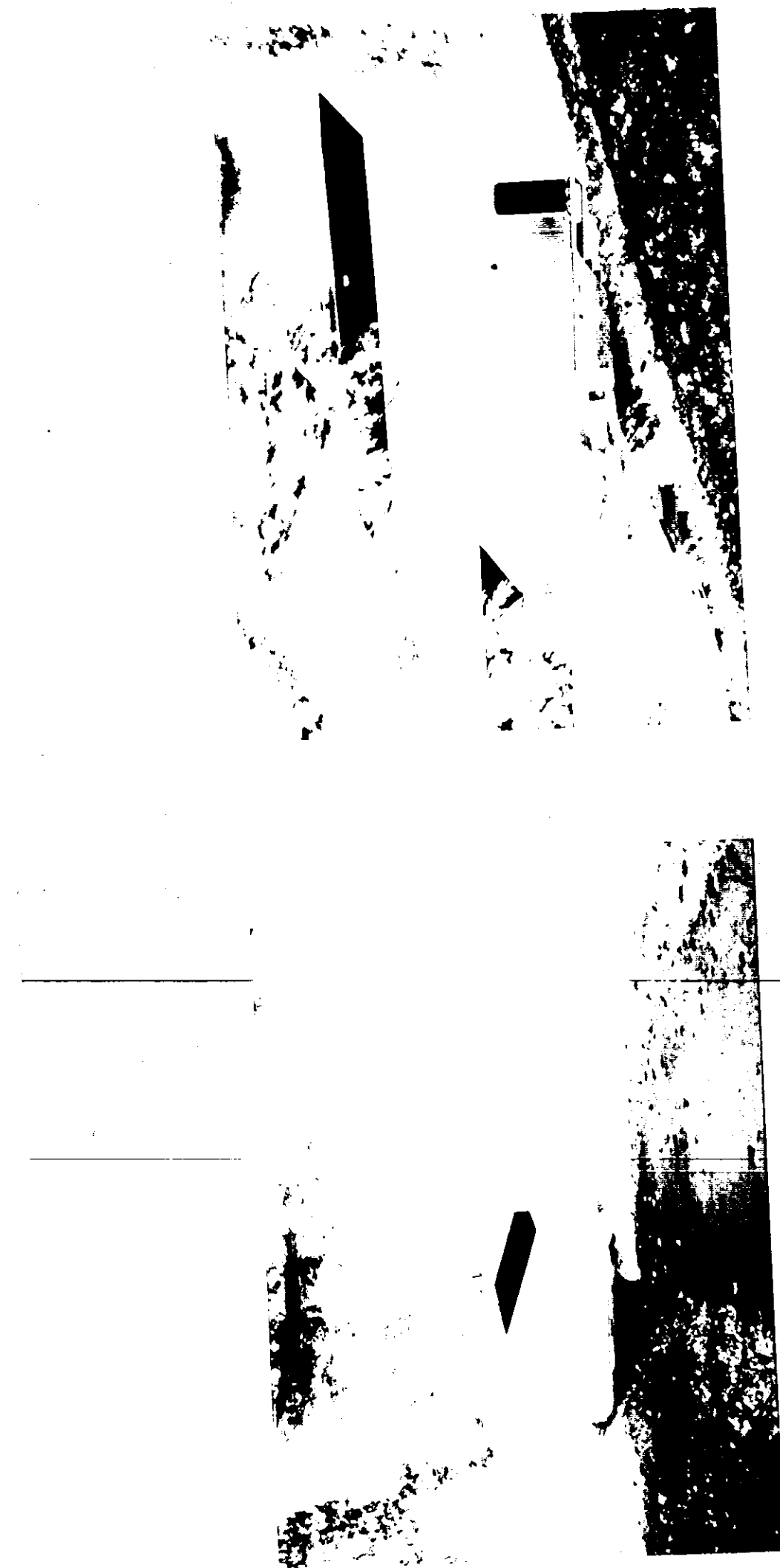
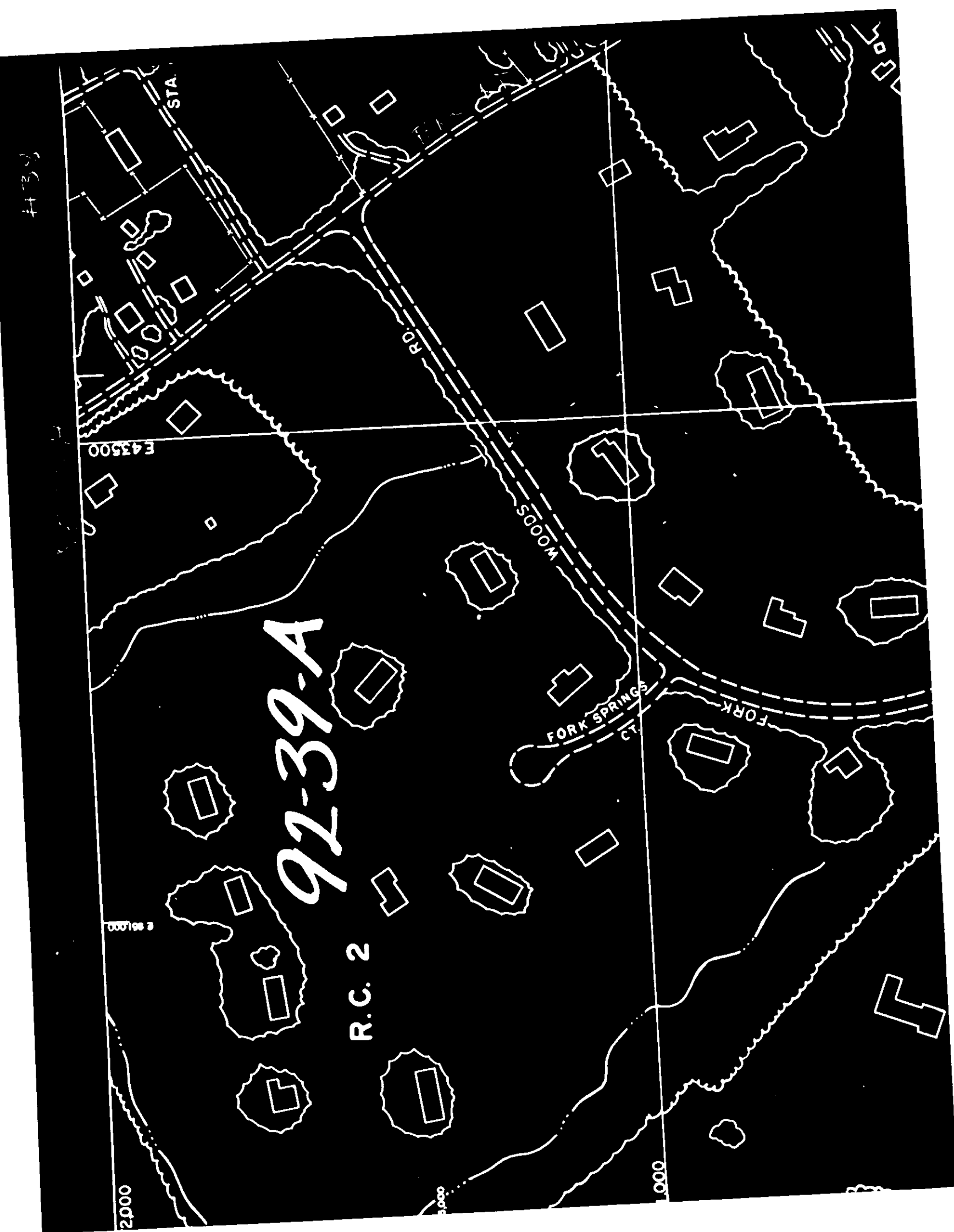
LEGAL NAME OF OWNER: ELSNIC

Please Make Check/Deposit to Baltimore County
BA C004+24PH07-24-91

Other Validation

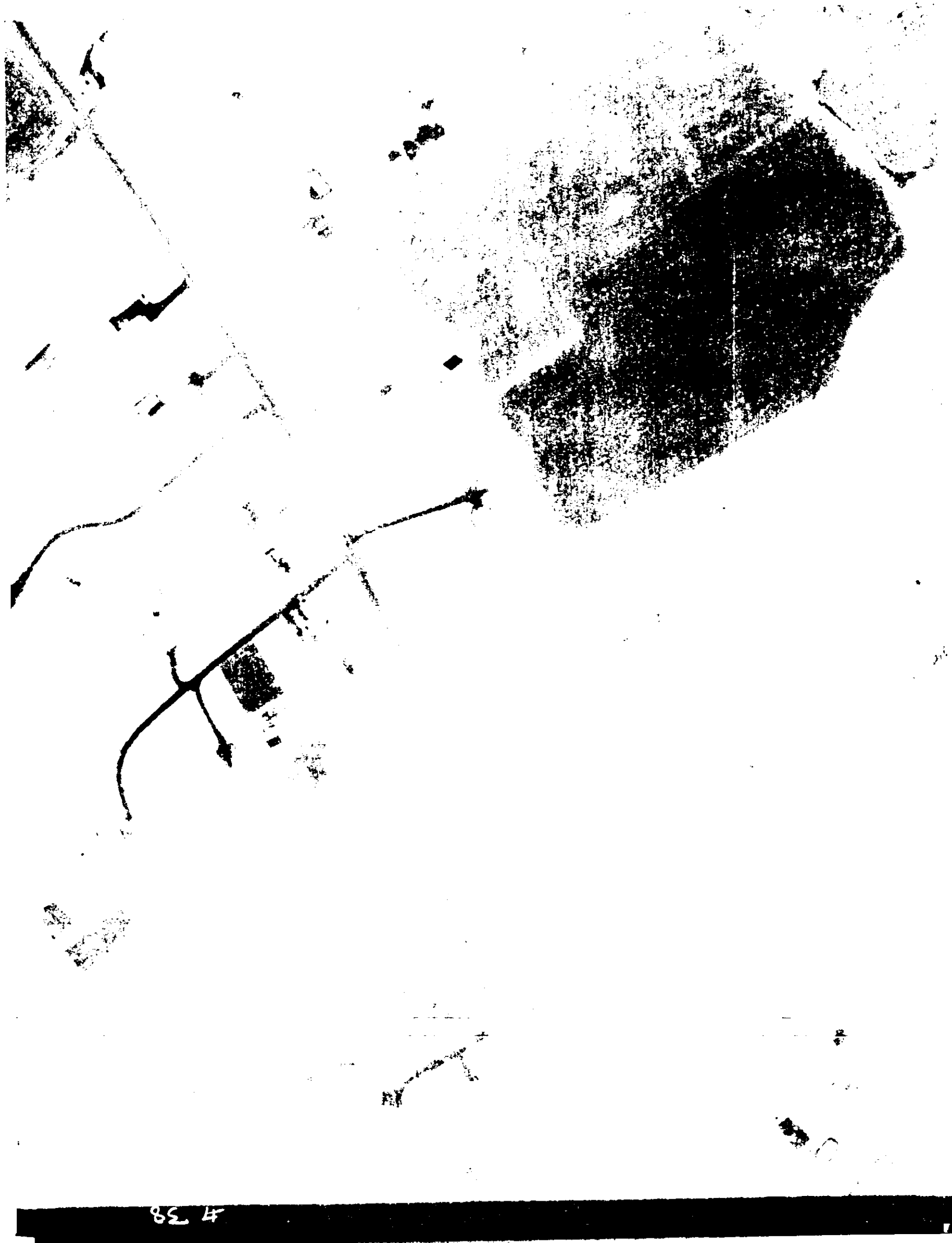
PRACTICAL DIFFICULTY ATTACHMENT

- 1 LOCATING THE CAR-PORT ON THE SIDE OF OUR HOME WILL ALLOW US TO USE AN EXISTING BLACK TOPPED LEVEL PARKING AREA, EASILY ACCESSIBLE TO PARK MY CAMPER. WE HAVE ALWAYS PARKED A CAMPER IN THIS LOCATION.
- 2 LOCATING THE CAR-PORT ON THE SIDE OF OUR HOME WILL NOT, IN ANY WAY, EFFECT THE WATER FLOW FROM THE FARMER'S FIELD LOCATED UP THE HILL FROM MY PROPERTY. LOCATED BETWEEN MY PROPERTY AND THE FARMER'S FIELD IS ANOTHER HOUSE. SINCE THIS HOUSE WAS CONSTRUCTED, WE HAVE HAD WATER AND MUD PROBLEMS TO CONTEND WITH. AFTER SEVERAL YEARS OF WORK AND LARGE SUMS OF MONEY SPENT, WE (MY WIFE AND MYSELF) HAVE MANAGED TO DIVERT THEIR WATER TO A MANAGEABLE COURSE. TO LOCATE THE CAR-PORT IN THE REAR OF OUR PROPERTY WOULD REQUIRE MOVING MANY TONS OF DIRT, RELOCATING OUR FENCE, CUTTING DOWN THREE LARGE OLD TREES AND VERY POSSIBLE CAUSING DRAINAGE PROBLEMS AGAIN THAT TOOK YEARS TO CONTROL. NEEDLESS TO SAY, THE CONSIDERABLE ADDITIONAL COST AND POTENTIAL DRAINAGE PROBLEMS WOULD IN OUR OPINION BE UNNECESSARILY BURDENSOME TO US WHEN WE CAN AVOID THIS BY PUTTING THE CAR-PORT ALONG SIDE OF OUR HOME.
- 3 WE FEEL THE ESTHETICS OF THIS BUILDING WOULD INCREASE THE BEAUTY OF THE PROPERTY. THE CAR-PORT WILL BE CONSTRUCTED OF 6 X 6 TREATED POST, A LOW PITCHED ROOF OF DARK BROWN ROOFING MATERIAL, GABLE ENDS WILL BE OF T-111 WOOD SIDING, THE SIDE FACING TOWARD THE STREET AND THE END FACING AWAY FROM OUR HOME WILL BE COVERED WITH TREATED LATTICE. THE QUALITY OF WORKMANSHIP ALONG WITH THE DARK CHOCOLATE COLORED STAIN, ALL OF WHICH IS DESIGNED TO MATCH OUR HOME. WILL MAKE THIS A VERY PLEASING STRUCTURE. PLEASE ALSO NOTE THAT WE LIVE ON A VERY DENSELY WOODED LOT AND THAT IT IS VERY DIFFICULT TO SEE OUR HOME FROM THE STREET. WE ARE VERY INTERESTED IN MAINTAINING THE SERENITY AND BEAUTY OF OUR HOME AND NEIGHBORHOOD. WE FEEL THAT THIS CAR-PORT WILL BE AN ASSET NOT ONLY TO US BUT TO THE AREA IN GENERAL.
- 4 THE VARIANCE THAT WE ARE REQUESTING IS NOTHING MORE THAN ALREADY EXISTS IN OUR NEIGHBORHOOD. THE HOUSE LOCATED AT 6016 FORK WOODS ROAD, WHICH IS THREE HOUSES AWAY FROM OURS ON THE OPPOSITE SIDE OF THE STREET HAS A 2 CAR DETACHED GARAGE ALONGSIDE THE HOUSE. THIS DETACHED GARAGE IS ALSO CLEARLY VISIBLE FROM THE STREET WHERE AS OURS IS COMPLETELY SECLUDED IN THE WOODS.



Plan to accompany Petition for Zoning Variance [Special Hearing]

PROPERTY ADDRESS: 6103 FORK WOODS ROAD
 Subdivision name: 6103 FORK WOODS ROAD
 plat book 111 folios 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000



Baltimore County Government
 Office of Zoning Administration
 and Development Management
 Office of Planning & Zoning

111 West Chesapeake Avenue
 Towson, MD 21204

887-3353

July 30, 1991

Steven Paul Elanic
 Christine Susan Elanic
 6013 Fork Woods Road
 Baldwin, MD 21013

92-39-A

RE: Petition Filed in Zoning Office
 Item Number 38

Dear Petitioner:

This letter is to inform you that, due to a technical problem, your Petition for Residential Variance has not been placed on the agenda for the week of August 6, 1991. According to our records, this Petition was filed on July 24, 1991 with John R. Alexander.

In order for this Petition to be placed on the next agenda, you must contact Mr. Alexander at 887-3391 to rectify the problem.

Very truly yours,
 J. Robert Haines
 J. Robert Haines
 Zoning Commissioner

JRH:scj

CERTIFICATE OF POSTING
 ZONING DEPARTMENT OF BALTIMORE COUNTY
 Towson, Maryland

District: 11th Date of Posting: 8/14/91

Posted for: Variances

Petitioner: Steven Paul Elanic, Christine Susan Elanic, et al

Location of property: 6103 Fork Woods Rd, 600 W Fork Rd

Location of Sign: 6103 Fork Woods Rd, across 10 E. W. d. way, on property of John R. Alexander

Remarks:

Posted by: J. Robert Haines Date of return: 8/23/91

Number of Signs: 1

